

AO 450 Judgment in a Civil Case

UNITED STATES DISTRICT COURT FILED
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

SEP - 6 2012

CLERK, U.S. DISTRICT COURT
NORFOLK, VA

Charles Claude Ramsey,

Petitioner,

v.

Case Number: 2:11cv00396

Kimberly H. Runion

Director of the Virginia Center for Behavioral Rehabilitation
Respondents,

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came on for decision before the Court.
The issues have been decided and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the petition (ECF No. 10) be DENIED AND DISMISSED WITH PREJUDICE for the reasons stated in the Report and modified herein. Respondent's Motion to Dismiss (ECF No. 16) shall be GRANTED, and judgment shall be entered in favor of Respondent. It is further ORDERED that Respondent's Motion to Alter or Amend Judgment (ECF No. 26) be DENIED, Respondent's Motion to Amend Her Objection (ECF No. 28) be GRANTED, and Petitioner's Motion to Appoint Counsel (ECF No. 27) be DENIED. Petitioner may appeal from the judgment entered pursuant to this Opinion and Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty (30) days from the date of entry of judgment. Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Therefore, the court, pursuant to Rule 22(b) of the Federal Rules of Civil Procedure, declines to issue a certificate of appealability, and it is hereby ORDERED that Petitioner's Motion for Issuance of a Certificate of Appealability (ECF No. 27) be DENIED. See *Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003).

September 6, 2012
Date

FERNANDO GALINDO, CLERK

By: /s/
Lara Dabbene, Deputy Clerk